

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

THOMAS GESUALDI and
FRANK FINKEL,

Plaintiffs,

-against-

GAYLE BARD LANDSCAPES, INC.,

Defendant.

FILED
IN CLERK'S OFFICE
U.S. DISTRICT COURT E.D.N.Y.

★ JUN 16 2011 ★

BROOKLYN OFFICE
10-CV-5762 (ARR)(LB)

NOT FOR
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ORDER

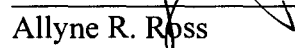
ROSS, United States District Judge:

The court has received the Report and Recommendation on the instant case dated May 31, 2011 from the Honorable Lois Bloom, United States Magistrate Judge. No objections have been filed. Accordingly, the court has reviewed the Report and Recommendation for clear error on the face of the record. See Advisory Comm. Notes to Fed. R. Civ. P. 72(b); accord Edwards v. Town of Huntington, No. 05 Civ. 339 (NGG) (AKT), 2007 U.S. Dist. LEXIS 50074, at *6 (E.D.N.Y. July 11, 2007); McKoy v. Henderson, No. 05 Civ. 1535 (DAB), 2007 U.S. Dist. LEXIS 15673, at *1 (S.D.N.Y. March 5, 2007). Having reviewed the record, I find no clear error. I hereby adopt the Report and Recommendation, in its entirety, as the opinion of the Court pursuant to 28 U.S.C. § 636(b)(1).

Therefore, plaintiffs' motion for default judgment is denied, and defendant's motion to vacate the entry of default is granted. Defendant shall respond to plaintiffs' complaint within ten days.

SO ORDERED.

/s/(ARR)



Allyne R. Ross
United States District Judge

Dated: June 15, 2011
Brooklyn, New York